IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:07-CV-134-D

UNITED STATES OF AMERICA ex rel. KAREN WARD,	)	
Plaintiff,	)	
v.	)	**ORDER**
JOHN J. PECK,	)	
Defendant.	)	

On May 28, 2010, John J. Peck filed a motion to dismiss under Rule 9(b), 12(b)(6), and 12(b)(7) of the Federal Rules of Civil Procedure [D.E. 31]. The court is familiar with the requirements of Rule 9(b). See, e.g., United States ex rel. Owens v. First Kuwaiti Gen. Trading & Contracting Co., No. 09-1899, 2010 WL 2794369, at * 6 (4th Cir. July 16, 2010); In re Mutual Funds Investment Litig., 566 F.3d 111, 120 (4th Cir. 2009); United States ex rel. Wilson v. Kellogg Brown & Root, Inc., 525 F.3d 370, 379–80 (4th Cir. 2008). The court also is familiar with the requirements of Rule 12(b)(6). See, e.g., Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949–50 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008); Goodman v. Praxair, Inc., 494 F.3d 458, 464 (4th Cir. 2007) (en banc). Finally, the court is familiar with the requirements of Rule 12(b)(7). See, e.g., HS Resources, Inc. v. Wingate, 327 F.3d 432, 438–39 (5th Cir. 2003).

The court has reviewed the complaint in light of the governing standards. The motion to dismiss [D.E. 31] is DENIED.

SO ORDERED. This 18 day of August 2010.

JAMES C. DEVER III
United States District Judge